

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

LAVANDER YAHTIN,

Defendant.

**Case No. 1:21-CR-2003-EFS-1
CRIMINAL MINUTES**

DATE: DECEMBER 15, 2022**LOCATION: RICHLAND****SENTENCING HEARING**

		Hon. Edward F. Shea			
Sara Gore		01		Kimberly Allen	
Courtroom Deputy		Law Clerk		Court Reporter	
Frances Walker			Gregory Scott		
Government Counsel			Defense Counsel		
United States Probation Officer: Carrie Valencia appearing by video					

[XX] Open Court**[] Chambers****[] Videoconference**

Defendant present, in custody of the US Marshal

Recommendation by Ms. Walker

Colloquy between Court and counsel regarding the seriousness of the crime.

Ms. Walker reads the statement of the victim in the record.

US Probation Officer, Carrie Valencia, Sworn to Testify
Examination of witness by Court
Witness steps down

The Court rules on and accepts the Pre-Sentence Report

Recommendation and argument by Mr. Scott

Colloquy between Court and counsel regarding mandatory minimum and different cases in the district.

Discussion between Court and US Probation Officer regarding a certain classification for BOP due to the crime of violence.

Defendant addresses the Court on his own behalf

[XX] ORDER FORTHCOMING

CONVENED: 11:04 A.M.	ADJOURNED: 11:38 A.M.	TIME: :34 HRS	CALENDARED []
-----------------------------	------------------------------	----------------------	-----------------------

USA -vs-Yahtin
1:21-CR-2003-EFS-1
Sentencing

December 15, 2022
Page 2

SENTENCE:

Imprisonment: 120 months

Defendant shall receive credit for time served in federal custody prior to sentencing in this matter.

Supervised Release: 5 years on standard conditions and the following special conditions:

1. You must not communicate, or otherwise interact, with the victims: Marisa Arellano; Steven Byerly; Daneisha Knox; Cheryl Matson; Joel Smith and The Wolf Den; either directly or through someone else, without first obtaining the permission of the probation officer. You must not enter the premises or loiter within 1,000 feet of the victim's residence or place of employment.
2. You must submit your person, residence, office, or vehicle and belongings to a search, conducted by a probation officer, at a sensible time and manner, based upon reasonable suspicion of contraband or evidence of violation of a condition of supervision. Failure to submit to search may be grounds for revocation. You must warn persons with whom you share a residence that the premises may be subject to search.
3. You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.
4. You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.
5. You must not enter into or remain in any establishment where alcohol is the primary item of sale. You must abstain from alcohol and must submit to urinalysis and Breathalyzer testing as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.
6. You must complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement, absent further order of the court. You must allow reciprocal release of information between the supervising officer and treatment provider. You must contribute to the cost of treatment according to your ability to pay.

Special Penalty Assessment: \$100.00

Fine: Waived

Final Order of Forfeiture signed and entered.

Appeal rights waived pursuant to the Plea Agreement previously executed by the parties and filed in this matter.

Ms. Walker motions to Dismiss Counts 1 & 2.

Court: Motion is **granted**.